CONDITIONAL USE PERMIT

APPLICATION



November 1, 2015

Beginning July 1, 2012, per Ordinance O12-19, a 2.75% technology fee will be assessed and collected on the total fees for all new and resubmitted applications until June 18, 2017.

Stafford County Department of Planning & Zoning

1300 Courthouse Road P.O. Box 339 Stafford, VA 22555-0339

Phone: 540-658-8668 Fax: 540-658-6824

www.staffordcountyva.gov

Background and Process Information

Conditional uses are uses which are generally compatible with the other land uses permitted in the zoning district but require individual review for their intensity, location, design and configuration. Conditions are imposed by the County in order to ensure the appropriateness of the use at a particular location.

Conditional Use Permits may be approved upon a finding by the Board of Supervisors that the use will not be detrimental to the character and development of the adjacent land and will be in harmony with the purpose and intent of the zoning ordinance. Applications for conditional use permits must be submitted to the Department of Planning & Zoning.

Each application for a Conditional Use Permit is forwarded to the Planning Commission for consideration. The Planning Commission will hold a public hearing on the application.

<u>The applicant is required to attend this public hearing</u>. After the public hearing, the Planning Commission forwards a recommendation to the Board of Supervisors.

The Board of Supervisors will hold a public hearing on the application. The applicant is required to attend the public hearing. The Board may approved or deny the request for a permit. Should the Board approve the permit, they may designate conditions which, in its opinion, will mitigate the impacts of the requested conditional use.

Conditions may be established to:

- 1. Abate or restrict noise, smoke, dust or other elements that may affect surrounding properties.
- 2. Provide for adequate parking, ingress and egress to public streets and roads.
- 3. Provide adjoining property with buffers or screening to mitigate visual and/or noise impacts.
- 4. Establish setback, side or rear yard requirements necessary for orderly expansion and to prevent traffic congestion.

Amendments to Approved Conditional Use Permit Conditions:

Any previous approved conditional use permit may be revised by the Board of Supervisors following a public hearing. Minor Amendments shall be allowed subject to the following requirements:

- 1. No more than two permit conditions can be changed at the time of request
- 2. Changes do not materially affect site layout

Conditional Use Permit Amendments are subject to the standard Conditional Use Permit fees. Minor Amendments are subject to the Minor Amendment fees in Section 2 of the Application Review Fees Calculation.

Conditional Use Permit Application Instructions

- 1. The applicant must meet with a planner prior to submitting an application. A preliminary conference regarding the application may be scheduled with a Planner.
- 2. Fill-out, sign and date the application form. If the applicant is not the property owner, attach a notarized letter of consent from the property owner authorizing the applicant to act as the owner's agent for the application.
- 3. The applicant must provide three copies of a boundary survey and a metes and bounds description of the land for which the Conditional Use Permit would apply.
- 4. The applicant must provide the names and addresses of all adjacent property owners, including those immediately across the road(s) from the property. This list is used for the notification to the adjacent owners of the public hearing.
- 5. The applicant must provide a General Development Plan (GDP) drawn to standards in Article 13 of the Zoning Ordinance.
- 6. If available, it is recommended that the applicant(s) include architectural renderings that show building materials, building heights, site design amenities, etc. Staff may ask this to be submitted by the applicant(s) on a case-by-case-basis.
- 7. The applicant must submit impact statements with the application. Impact studies must address traffic volumes, public utility capacities, noise, dust and smoke emissions. A Transportation Impact Analysis (TIA) is required for all projects that meet the following criteria:
 - generate 150 or more vehicle trips per day above the existing use, and
 - the site would meet the VDOT requirements for TIAs under 24 VAC 30-155 or Stafford County Rezoning TIA requirements.

Proffers or conditions which limit the vehicle trips per day may be taken into consideration when calculating the maximum development. The TIA shall be developed in accordance with the guidelines established in 24 VAC 30-155.

8. Check the attached filing date schedule for application deadlines and public hearing dates (page 19).

Application Submittal Checklist

	Completed "Project Information & Primary Contacts" form (Page 6)
	Signed "Statements of Understanding" from the owner(s) and applicant (Page 7)
	Signed and Notarized Owner's Consent Statement (if applicant/agent is not the owner)
	Completed "General Information" sheet (Page 8)
	Completed "Review Fee Calculation" sheet and appropriate Fees payable to "County of Stafford" (Page 9)
	Completed "List of Adjoining Property Owners" (Pages 10 & 11)
	Completed "Application Affidavit" (Pages 12 – 15)
	Completed "Checklist for Generalized Development Plans" (Pages 16 & 17)
	Completed "Transportation Impact Analysis Determination Form" (Page 18)
	Proof that Real Estate Taxes have been paid
	Complete Legal Description of the area to be reclassified (Acreage must match Boundary Survey Plat)
	Completed Impact Statement
	Completed Transportation Impact Analysis (TIA) , if required (Five (5) paper copies with electronic copies or ftp site)
PLA	ΓS AND PLANS
	Boundary Survey Plat of area subject to rezoning (with 3 copies at 8½" x 11" size)
	Generalized Development Plan (12 full-size copies at 24"x 36" size)
	* See "Checklist for Generalized Development Plans" (Pages 16 & 17)
RECEI	VED OFFICIALLY SUBMITTED

DATE:____INITIALS____

__ INITIALS ___

Optional Application Materials

Although not required, the following additional materials are requested to be included with the initial application submission, if available. These items are often requested during the review process. Providing the information in advance can assist in accelerating the review:

- 1. Site Illustrations or Building Elevations
- 2. Electronic Version of generalized development plans, boundary survey, and any illustrations (a pdf on a CD, DVD, sent via email, or through ftp site is acceptable)

Project Information & Primary Contacts

PROJECT INFORMATI	<u>ION</u>	PROJECT #
PROJECT NAME		SECTION
ADDRESS (IF AVAILABLE)		TOTAL SITE ACREAGE
TAX MAP /PARCEL(S)		ZONING DISTRICT
LOCATION OF PROJECT		
APPLICANT/AGENT (F	Provide attachment if pplicant and Agent differ)	Primary Contact Person □
NAME		COMPANY
ADDRESS	CITY	STATE ZIP
4		
PHONE NUMBER	FAX NUMBER	EMAIL ADDRESS
	FAX NUMBER nments if multiple owners)	Primary Contact Person
OWNER (Provide attach		Primary Contact Person □
OWNER (Provide attach	nments if multiple owners)	Primary Contact Person COMPANY
OWNER (Provide attach	city FAX NUMBER	Primary Contact Person COMPANY STATE ZIP
OWNER (Provide attach NAME ADDRESS PHONE NUMBER	city FAX NUMBER	Primary Contact Person COMPANY STATE ZIP EMAIL ADDRESS
OWNER (Provide attach NAME ADDRESS PHONE NUMBER PROFESSIONAL (Engin	city FAX NUMBER	Primary Contact Person COMPANY STATE ZIP EMAIL ADDRESS Primary Contact Person

* Additional sheets may be used, if necessary.

Statements of Understanding

I, as owner/co-owner of the proper understand the requirements for the County Code, and further, that the provisions of the Stafford County Zor	submission of a conditional use is submittal is in compliance	e permit as provided under with the requirements and	the Stafford
Signature of Owner/Co Owner	Printed Name	Date	
Signature of Owner/Co Owner	Printed Name	 Date	
Signature of Owner/Co Owner	Printed Name	Date	
I, as applicant or agent for the owner(read and understand the requiremen Stafford County Code, and further, the provisions of the Stafford County Zor	ts for the submission of a condi- nat this submittal is in complian	tional use permit as provide ce with the requirements and	d under the
Signature of Applicant/Agent	Printed Name	Date	

General Information

Clear	rly indicate all information that applies to this project:
<u>DET</u>	AILED DESCRIPTION OF PROJECT
<u>INFC</u>	DRMATION FOR FEE CALCULATIONS
	# of Acres
Туре	e of Conditional Use Permit:
	Standard Conditional Use Permit (including amendments)
	Minor Conditional Use Permit Amendment
	Minor Conditional Use Permit Amendment (when submitted simultaneously with a Minor Proffer Amendment Application)
* See	Background Information on page 3 to determine if the request qualifies as a minor amendment
<u>INFC</u>	<u>DRMATIONAL</u>
Previ	ious Resolution #
Zonii	ng District
Prop	osed Use(s)

Review Fee Calculations

The County review fee calculations are divided into two sections. Each section is based on a different type of application. Determine the application fee by filling out the one section that applies.

Section I. Standard Conditional Use Permit:

A. Base Fee: (Required)	\$	9,750.00
B. General Fee: (If greater than 5 acres)		
(Acres – 5) X \$125	. \$	
C. Fire & Rescue Review Fee (required)	\$	95.00
D. Utilities Department Review Fee (required)	\$	95.00
E. Public Works Review Fee (required)	\$	120.00
F. Traffic Impact Analysis Review Fee: (If TIA required) Volume <1,000 VPD\$200.00 Volume >1,000 VPD\$400.00	\$	
G. Adjacent Property Notification (required):		
(Adjacent properties) X \$6.48	\$	
Sub-total (Add appropriate amounts from lines A thru G above)	\$	
H. Technology Fee (sub-total x 2.75% or 0.0275)	\$	
TOTAL (Sub-total + H. Technology Fee)		
Section II. Minor Conditional Use Permit Amendment:		
A. General Fee:	\$	6,190.00
B. Adjacent Property Notification (required):		
(Adjacent properties) X \$6.48	\$	
Sub-total (Add lines A and B)	\$	
C. Technology Fee (sub-total x 2.75% or 0.0275)	\$	
TOTAL (Sub-total + C. Technology Fee)	\$	

Section III. Minor Conditional Use Permit Amendment (when submitted simultaneously with a Minor Proffer Amendment Application):

A. General Fee:	\$	3,095.00
B. Adjacent Property Notification (required):		
(Adjacent properties) X \$6.48	. \$	
Sub-total (Add lines A and B)	\$	
C. Technology Fee (sub-total x 2.75% or 0.0275)	\$	
TOTAL (Sub-total + C. Technology Fee)	\$	

MAKE CHECK PAYABLE TO "STAFFORD COUNTY"

List of Adjoining Property Owners

The applicant is required to provide a list of the owners as shown on the current real estate tax assessment books of all abutting properties and properties immediately across the street or road from the property to be rezoned or issued a Conditional Use Permit. If the application requests a rezoning of only a portion of the parcel or a Conditional Use Permit on only a portion of the parcel, the entire parcel must be the basis for the below listing.

Provide additional pages if needed.

TAX MAP / PARCEL	NAME		
MAILING ADDRESS			
CITY		STATE	ZIP
			-
TAX MAP / PARCEL	NAME		
MAILING ADDRESS			
CITY		STATE	ZIP
TAX MAP / PARCEL	NAME		
MAILING ADDRESS			
CITY		STATE	ZIP

TAX MAP / PARCEL	NAME		
MAILING ADDRESS			
CITY		STATE	ZIP
TAX MAP / PARCEL	NAME		
MAILING ADDRESS			
СІТҮ		STATE	ZIP
TAX MAP / PARCEL	NAME		
MAILING ADDRESS			
CITY		STATE	ZIP
TAX MAP / PARCEL	NAME		
MAILING ADDRESS			

Application Affidavit

This form to be filed with: Internal Use Only STAFFORD COUNTY Project Name: **BOARD OF SUPERVISORS** A/P#: Date: 1300 COURTHOUSE ROAD STAFFORD, VIRGINIA 22555 All applicants for a special exception, a special use permit, conditional use permit, amendment to the zoning ordinance or variance shall make complete disclosure of the equitable ownership of the real estate involved in the application, including in the case of corporate ownership, limited liability company ownership or similar business ownership, the name of stockholders, officers, managing partners, general partners, owners and members, and in any case the names and addresses of all of the real parties in interest. The requirement of listing names of stockholders, officers and directors shall not apply to a corporation whose stock is traded on a national or local stock exchange and having more than 500 shareholders. In the event the ownership of the involved real estate changes in any respect during the time the application is pending, the applicant shall make complete disclosure of the new equitable ownership of the real estate involved in the application as required herein. If the applicant is a contract purchaser, the ownership information required herein shall be provided for the contract purchaser in addition to the owner of the real estate involved in the application. This section applies to applications before the board of supervisors, planning commission and board of zoning appeals. See Section 15.2-2289 for State Enabling Authority 1. Applicant information Name of Applicant Name of Company Applicant Address Applicant's Signature Name of Agent

2. Type of Application

Address of Agent

☐ Conditional Use Permit ☐ Variance

☐ Rezoning ☐ Special Exception

Application Affidavit Page 2 Applicant:			ne:	
3. Property Information				
Assessors Parcel(s)				
Address				
4. Unless the equitable ownership, list all equit		_	bility company or similar b	usiness
Name of owners				
business ownership, list	t all officers, mana vision shall not ap	nging partners, gener ply if the corporatio	limited liability company o ral partners, share holders, o n is listed on a national or l	owners
Name of Members	Address			
	_	-	tion, limited liability comp the purchase of the proper	•

STAFFORD COUNTY
Department of Planning and Zoning

Application Affidavit Page 3 Applicant:	Project Name: A/P #: Date:
business ownership, list all officers, managing	s a corporation, limited liability company or similar g partners, general partners, share holders, owners If the corporation is listed on a national or local stock
	been notified of the purpose of the application?
the cost required for the Department of Plannic certified letters notifying those listed below of	
Name Address, including	zip code, no P.O. Box please
,	(cost as of the day of submittal) ke checks payable to County of Stafford) this application to cover the cost of serving the

Page 15

STAFFORD COUNTY Department of Planning and Zoning

	Project Name:
Application Affidavit	A/P#:
	Date:
Page 4	
Applicant:	
10. Affirmation & Witness	
correct to the best of my knowledge, information ownership of the involved real estate characteristics.	nanges during the time the application is ure of the new equitable ownership of the
Printed name of Signer	-
Corporate Office of Signer	
Signature	
Date	
COMMONWEALTH OF VIRGINIA COUNTY OF STAFFORD, to wit:	
The forgoing affidavit was acknowledge	d before me this day of, by
owner/applic	eant.
My commission expires:	
	Notary Public

Checklist for Generalized Development Plans (GDP)

In accordance with Section 28-224 of the Stafford County Code, when a GDP involves engineering, architecture, urban land use planning or design, landscape architecture, or surveying, such work shall be performed by persons qualified and authorized to perform such professional work, in accordance with applicable provisions of the Code of Virginia.

N/A	COMPLETE	
		Sec 28-225(1)
		Date of drawing,
		true north arrow,
		scale,
		legend for all symbols used,
		name of the applicant,
		name of the owner,
		name of the development,
		person preparing the drawing,
		match lines if applicable;
		Sec 28-225(2)
		Boundaries of the area covered by the application,
		vicinity map showing the general location of the proposed development, major roads and existing subdivisions at a scale of one inch equals two thousand (2,000) feet;
_		Sec 28-225(3)
		Approximate locations and identification of any easements and rights-of- way on or abutting the site;
		Sec 28-225(4)
		Approximate location of each existing and proposed structure on the site
		the number of stories,
		height,
		roof line,
		gross floor areas and
		location of building entrances and exits;
_		Sec 28-225(5)
		Identification and location of uses and structures on all abutting
		properties;
_		Sec 28-225(6)
		Approximate location of all existing and proposed parking and loading areas,
		outdoor trash storage,
		lighting facilities, and
		pedestrian walkways;
		Sec 28-225(7)
		Approximate location, height and type of each existing and proposed wall, fence, and other types of screening;

Checklist for Generalized Development Plans (continued)

N/A	COMPLETE	
		Sec 28-225(8)
		Approximate location and description of all proposed landscaping;
_		Sec 28-225(9)
Ц	Ц	Approximate location, height and dimensions of all proposed signage on site;
		Sec 28-225(10)
		Approximate location of all existing drainage ways, floodplains and wetlands on site;
		Sec 28-225(11)
		Approximate location of all common open space, recreational areas and bufferyards;
		Sec 28-225(12)
		Where the site abuts any tidal water body or impoundments, the
		approximate high water line, low water line, top of bank and toe of slope;
		Sec 28-225(13)
		Approximate location and identification of all significant natural or noteworthy features including, but not limited to, historic and archeological sites, cemeteries, existing trees with a trunk diameter greater than six (6) inches DBH

Waiver of GDP Requirements

In accordance with Section 28-223 of the Stafford County Code, the Director of Planning and Zoning may waive the requirement for the submission of a GDP if the application meets one of the following standards:

- (1) There will be less than two thousand five hundred (2,500) square feet of total land disturbance on lots or parcels of less than ten thousand (10,000) square feet.
- (2) For single-family dwellings intended for the occupancy of the applicant and where there will be less than five thousand (5,000) square feet of land disturbance.
- (3) For specific items of information when, in the opinion of the director of planning, their application to the subject property does not serve the purpose and intent of this article.

A request for a waiver shall be made in writing to the Director of Planning and Zoning identifying the sections in which you are requesting a waiver and the reason for the request.

STAFFORD COUNTY Department of Planning and Zoning

CONDITIONAL USE PERMIT
TRANSPORTATION IMPACT
ANALYSIS DETERMINATION

TRANSPORTATION IMPACT ANALYSIS DETERMINATION	RECEIVED BUT NOT OFFICIALLY SUBMITTED DATE: INITIALS		
Name of development	OFFICIALLY SUBMITTED		
Type of development	DATE:INITIALS		
Parcel #			
Traffic Volume Calculations			
This site generates:			
VPH (insert the highest VPH)			
VPD on state controlled highways (insert highest vo	lume).		
Peak AM (VPH)			
Peak PM (VPH)			
Peak Saturday (VPH)			
VPD highest intensity*			

Any proposal that generates 150 or more vehicle trips per day above the existing use, and the site meets the VDOT requirements for TIAs under 24 VAC 30-155 or Stafford County Rezoning TIA requirements. See "VDOT Traffic Impact Analysis Requirements" table on next page.

Attach a page showing the calculations and the ITE trip generation codes to this form.

Trip Generation Calculation Guidelines

Minimum Thresholds to submit a TIA

- Traffic volumes shall be based on the rates or equations published in the latest edition of the Institute of Transportation Engineers Trip Generation.
- If a site has multiple entrances to highways, volumes on all entrances shall be combined for the purposes of this determination.
- If the site does not have direct access to a state maintained road, the site's connection is where the site connects to the state highway system.
- Traffic volumes shall NOT be reduced through internal capture rates, pass by rates, or any other reduction methods.
- For redevelopment sites only: when the existing use is to be developed at a higher intensity, trips currently generated by the existing development that will be removed may be deducted from the total trips that will be generated by the proposed land use.
- When rezoning, use the highest possible traffic generating use unless development is limited by proffer to less than the possible highest traffic generation.

For development proposals that generate 1000 or more vehicle trips per peak hour the applicant shall request a scope of work meeting with VDOT and Stafford County Office of Transportation to discuss the required elements of a traffic impact analysis.

*The highest intensity use is the highest possible use allowable under the zoning requirements for the entire property should it be developed to its fullest extent possible under the current building guidelines. The only exception is if proffers limit the area and type of uses.

VDOT Traffic Impact Analysis Requirements

Proce	ess	Threshold	Review Process*	Fee**
Comprehensiv Plan Amendmer small area	nts (including	5,000 VPD on state- controlled highways, or Major change to infrastructure / transportation facilities	Application submitted to VDOT for review and comment VDOT may request a meeting with the locality within 30 days Review to be completed in 90 days or later if mutually agreed	\$1000 covers first and second review. No fee if initiated by locality or public agency. No fee for citizens' organization or neighborhood association proposing plan amendments.
Rezoning	Residential Low Volume Road Submission All Other Land Uses including residential	400 VPD AND exceeds the current traffic volume on a state controlled highway 5,000 VPD on state controlled highways, or 5,000 VPD on locality maintained streets AND within 3000 feet of a state controlled highway	VDOT or local TIA (certified by VDOT) and Application submitted to VDOT for review and comment VDOT may request a meeting with the locality & applicant within 45 days Review to be completed in 120 days if VDOT requests a meeting Otherwise review to be completed in 45 days NOTE: When a related comprehensive plan revision and rezoning proposal are being considered concurrently for the same geographical area, then only a rezoning TIA package is required.	For first and second review: \$250 - Low Volume Rd \$1000 - All other submissions No fee if initiated by locality or public agency No fee if using a VDOT TIA prepared for a small area plan

^{*} For proposals generating less than 1000VPH the locality and/or applicant may request a Scope of Work Meeting with VDOT. For proposals generating 1000 VPH or more the locality and/or applicant shall hold a Scope of Work Meeting with VDOT.

^{**} Third or subsequent submissions require additional fee as though they were an initial submission.

Filing Dates and Public Hearing Schedules

REZONING AND CONDITIONAL USE PERMIT APPLICATIONS

Final Application Date	Initial Comments Provided to Applicants	Potential Planning Commission Public Hearing *	Potential Board of Supervisors Public Hearing **
June 19, 2015	July 24, 2015	September 23, 2015	October 20, 2015
July 17, 2015	August 28, 2015	October 28, 2015	January 19, 2016
August 21, 2015	September 25, 2015	December 9, 2015	January 19, 2016
September 18, 2015	October 23, 2015	January 13, 2016	February 16, 2016
October 16, 2015	November 25, 2015	January 27, 2016	March 1, 2016
November 20, 2015	December 23, 2015	February 24, 2016	April 5, 2016
December 18, 2015	January 22, 2016	March 23, 2016	May 3, 2016
January 15, 2016	February 26, 2016	April 27, 2016	June 7, 2016
February 19, 2016	March 25, 2016	May 25, 2016	July 5, 2016
March 18, 2016	April 22, 2016	June 22, 2016	August 2, 2016
April 15, 2016	May 27, 2016	July 27, 2016	September 6, 2016
May 20, 2016	June 24, 2016	August 24, 2016	October 4, 2016
June 17, 2016	July 22, 2016	September 28, 2016	November 8, 2016
July 15, 2016	August 26, 2016	October 26, 2016	December 6, 2016
August 19, 2016	September 23, 2016	December 14, 2016	January 17, 2017

^{*} Subject to receipt of final applicant resubmission 30 days in advance of public hearing date.

^{**} Board of Supervisors date subject to change depending on dates of Planning Commission action.